

Bay Delta Conservation Plan (BDCP)

Steering Committee (SC) Meeting

October 17, 2008, 9:00 a.m. to 11:00 a.m.

California Farm Bureau Federation Conference Room

2300 River Plaza Ave, Sacramento, CA

Draft Meeting Notes

Associated documents/handouts:

- Agenda
- Draft BDCP Meeting Notes August 22, 2008
- Draft BDCP Implementation Structure/Governance Working Group Implementation Elements Details
- Draft Fisheries Agencies' Water Operations Issues/Observations (September 17, 2008)
- Draft Process for Prioritizing and Sequencing Restoration Opportunities

Action Items and Key Decisions

- Approved BDCP Draft Meeting Notes August 22, 2008 with minor corrections
- Steering Committee concurs with the Membership Working Group (WG) recommendation to accept the application for membership from the North Delta Water Agency and Friant Water Authority

Updates

- Today is last meeting of the Delta Vision Task Force. Their Strategic Plan document will be finalized and distributed by end of October.
- There will be a ground breaking next Tuesday for the new Drop 2 Reservoir on the All American Canal that will allow for more effective capture of Colorado River water.
- NMFS had a conference call with members of Congress who sent a letter asking questions about BDCP. NMFS also received a second letter from an additional five members of Congress. NMFS has responded to the second letter in a similar fashion as they responded to the first letter.
- NMFS reported that the analysis by NMFS science centers studying fisheries' collapse identified ocean conditions as a major cause and are also looking at the impact of fresh water conditions. The report is due sometime in late winter 2009.
- CalFed Independent Science Conference will convene next week.
- The OCAP mitigation appendix will go from USBR to USFWS today.
- Secretary Chrisman is meeting today with the new FWS Regional Director Ren Lohofener
- It is anticipated that Karla Nemeth will join the BDCP Management Team on November 1.

Working Groups, Technical Teams, and Liaisons

Public Outreach Liaisons

Karla Nemeth (co-chair) reported that a group of SC members (Ann Hayden, Roger Patterson, Jason Peltier, Greg Zlotnick and Karla Nemeth) went to Washington, DC last week. The trip was productive and the briefings were well attended. They met with Department of the Interior

agencies. They were successful in communicating the urgency of the needs of the Bay Delta. The group feels it is very important to return to Washington periodically to provide updates.

There continues to be briefings of Delta interests by the liaisons. Public workshops will be scheduled after first draft of conservation strategy is available. Karen Scarborough spent a lengthy session with city and county elected officials earlier in the week. Next Friday, Secretary Chrisman will meet with staff and elected officials from an additional 9-12 cities. Carl Wilcox attended a meeting of the Yolo Basin Working Group. This group is concerned with potential effects of BDCP-related actions on agriculture and Yolo Basin wildlife.

Membership Working Group

Roger Patterson (co-chair) presented the WG's recommendations regarding the five applicants: Friant Water Authority, North Delta Water Agency, Central Delta Water Agency, North Delta CARES and Delta Wetlands. The WG were guided by the criteria for membership reviewed by the SC in February 2007. Applicants were interviewed and some of the applicants provided additional information to WG. The WG recommends at this time that Friant Water Authority and North Delta Water Agency be granted membership to the SC. The WG was not prepared to make a recommendation on the application from the Central Delta Water Agency, as the agency has not committed to the requirement that they sign onto the Planning Agreement. Dean Reece representing the Central Delta Water Agency stated that they are still interested in membership and will discuss at a future meeting of their Board.

North Delta CARES and Delta Wetlands were not recommended for membership at this time based, but were encouraged by the SC to remain engaged in the process. Mark Pruner indicated that North Delta CARES can bring expertise to the table and that they will remain engaged, and asked that the SC to reconsider Membership WG's recommendation.

Andy Moran representing Delta Wetlands indicated that the group owns four islands, and is the largest single land owner in the Delta. They are focused on addressing issues that led to a permit denial and intend to reengage in a new permit process. Mr. Moran also indicated he would like to share modeling information with BDCP.

Steve Ottemoeller representing the Friant Water Authority thanked WG for their recommendation and expressed his appreciation for the process.

SC members discussed the recommendations of the Membership WG. SC members expressed commitment to expanding dialogue about BDCP with all interested parties.

SC members approved the Membership WG's recommendations regarding membership to the BDCP SC. An official letter notifying the applicant's of the SC's decisions will be prepared.

Biological Goals and Objectives Working Group

Will Stelle reported that the WG has met once more and discussed a larger conceptual framework. There are three pending to do items: 1) SAIC to describe monitoring metrics for conservation measures (CM). Metrics are needed that are relevant to assessing the effectiveness of CMs; 2) Fish agencies are being asked to provide a description of their overall objectives for each species including recovery plan metrics; 3) Articulate how we bundle the responses of individual CM/monitoring results as well as monitor large scale effects and outcomes for the fish and ecosystem.

SC members requested that the WG meet again to discuss specific goals and objectives including terrestrial species as well as fish species. The WG is scheduled to meet again next week.

Science Liaisons

Wayne Spencer reported on the Independent Science terrestrial species workshop. He indicated that the notes have been compiled and a draft report has gone out to the advisors for input and citations. One advisor out of the country until next week, and Wayne prefers to wait until they all have a chance to respond before the complete update.

Wayne also reported on the status of the workshop on adaptive management. A draft outline of the scope of the workshop has been prepared. Wayne recommends that SC members, consultants, and PREs be included in the morning sessions with afternoon sessions closed to all but the independent science advisors.

Implementing Structure/Governance Working Group

Richard Roos-Collins (co-chair) reporting. Richard distributed a handout entitled *Draft Fisheries Agencies' Water Operations Issues/Observations* (see associated handouts and documents) (not a formal position of agencies). The WG believes the existing water operations management team (WOMT) works well to make daily operational decisions; however, the process framework within which the WOMT operates is not working well.

WG feels that there will be a need for a dispute resolution process to be a part of any approach to governance and implementation.

Handout *Draft BDCP Implementation Structure/Governance Working Group Implementation Elements Details* (see associated handouts and documents) provides a more detailed outline of BDCP implementation elements. The governance structure for BDCP may involve an integrated organization of entities rather than a single entity.

SC members discussed the challenge of the governing entities and difficulty with governance in and out of the Delta.

Other Stressors Working Group

Brent Walthall (co-chair) presented the process of updating Other Stressors' Conservation Measures. Paul Cylinder described the changes and the vetting process for the updated document, the inclusion of SC member comments, the addition of more detail in response to fish agency recommendations, how to address third parties' influence on Other Stressors, and the adjustment of funding for conservation measures as needed. Ten conservation measures were removed (see table) from the original document. Written comments on this updated document due by next week (October 22).

SC members discussed the challenge of using third-parties to implement other stressors conservation measures. SC members discussed changes to document and asked for clarifications.

Habitat Restoration Technical Team

Dave Harlow (co-chair) reported that there had been good feedback and comments from fish agencies and NGOs regarding the Habitat Restoration Conservation Measures document.

Pete Rawlings described the updates and changes to the Habitat conservation measures (see associated documents and handouts). No conservation measures were discarded.

Dave Harlow presented the *Draft Process for Prioritizing and Sequencing Restoration Opportunities* document (see associated docs/handouts). John Cain described the purpose and value of the process. It is a work in progress and inclusion of terrestrial species is awaiting the independent advisor report to help guide the development of conservation measures for terrestrial species. SC members requested that no habitat restoration conservation measures be discarded until all the conservation measures has been evaluated and compared.

Conveyance Working Group

Jerry Johns (co-chair) reported the WG will meet next week to review water operations conservation measures.

Report on CalLite Interactive Sessions:

Laura King Moon reported on the day-and-a-half CalLite Interactive sessions last week. The group looked at seven different scenarios covering a wide range of operations. There is not a recommended scenario at this time.

John Cain described purpose and value of the session saying they were very well attended. It was a learning opportunity and helped to understand trade offs. They looked at: 1) fluctuating salinity regimes, and 2) flooded islands, 3) increasing delta outflows, 4) increasing spring inflows, 5) a preferential north diversion, 6) a preferential south diversion, and 7) a fully isolated facility.

Key lessons learned included: 1) CalLite is a limited tool, 2) it is hard to accurately model (there are bugs in the tool), 3) changes in channel geometry (e.g., flooding of Sherman Island) may not be doable, 4) there is a big tradeoff between key factors we care about, e.g. downstream targets and upstream reservoirs, or north Delta diversion and south Delta diversion, 5) beware of unintended consequences, e.g., when setting a rule in the model, might create unwanted consequences in the environment, 6) it gets complicated very fast and there is a need for evaluation metrics, and 7) results need to be fine-tuned to get realistic.

Drafts notes of the results will be distributed to the Conveyance WG.

Public Comment

Ann Spaulding representing the City of Antioch asked for clarification regarding the prioritization process for restoration conservation measures related to water quality; she would like to know if these water quality conservation measures are for exporters only or do they include in-Delta water quality.

Melinda Terry representing the North Delta Water Agency raised question about Section 2 of the *Draft Process for Prioritizing and Sequencing Restoration Opportunities* handout and the impacts to water quality. She would like the impacts of salinity and mercury addressed as well. She also recommends adding a cost-benefit analysis element. In addition, she requests that BDCP look at CalFed projects. NDWA is concerned about the lack of synergy between different water agencies.

Barbara Byrne from Planning and Conservation League expressed appreciation for the CalLite sessions. She recommends that districts look locally for opportunities to increase their self

sufficiency within their regions. Ms. Byrne also asked whether there will be additional scoping meetings. Sue Fry indicated another NOI will be issued and that there will be additional scoping meetings.

Mary McTaggart, a resident from Clarksburg, disagreed with the impression left by the Membership WG that North Delta CARES lacked expertise. She suggested that since many families have lived there for several generations that they could bring a wealth of information to the table, especially with regard to how the water and land works. Ms. Taggart also asked how the local residents in the Delta can be assured that, if new issues or uncertainties arise in the future, the residents will be informed and included.

Nicky Seward from Steamboat Slough. She raised issues from the first handout addressed today. Regarding conservation measure CORA#1 referring to a no wake zone. She gets the impression that the entire Delta will be made a “no wake zone.” She stated it won’t work because every boating association will raise objections. She understands the need to ensure the water supply for California, but feels the residents of the Delta were not appropriately made aware of the BDCP process and are generally overwhelmed with the amount of information to process. Regarding conservation measure CHMA#1.3, she would like clarification on the meaning of “restore habitat” in Steamboat Slough. Regarding NNIS #3 and non-native aquatic organisms, she believes it is unrealistic to inspect all boats, and recommends that that conservation measure be dropped. Ms. Seward also wants to know what “managed habitat” means for a commercial and recreation area like Steamboat Slough.

Attendees

Management and Representatives

Karen Scarborough (Chair, The Resources Agency)

Will Stelle (The Resources Agency)

Laura King Moon (State Water Contractors)

Tom Howard (SWRCB)

Leo Winternitz (California Bay-Delta Authority)

Jerry Johns (DWR)

Sue Fry (USBR)

Brent Walthall (Kern County Water District)

Roger Patterson (Metropolitan)

Ara Azhderian (SLDMWD)

Karla Nemeth (Zone 7)

Richard Roos-Collins (American Rivers/Natural Heritage Institute)

Kim Delfino (Defenders of Wildlife)

Ann Hayden (Environmental Defense)

Greg Thomas (Natural Heritage Institute)

John Cain (Natural Heritage Institute)

Campbell Ingram (The Nature Conservancy)

Gary Bobker (The Bay Institute)

Kenny Watkins (California Farm Bureau Federation)

Carl Wilcox (DFG)

Russ Strach (NMFS)

Paul Cylinder (SAIC)

On phone

Greg Gartrell (CCWD)

Ron Kino (Mirant)

Other attendees

See sign-in sheets
